



U.S. Department of Justice

*United States Attorney
District of Hawaii*

PJJK Federal Building (808) 541-2850
300 Ala Moana Blvd. FAX (808) 541-2958
Room 6-100
Honolulu, Hawaii 96850

June 27, 2005

James Troiano
c/o Pamela J. Byrne
PJJK Federal Buidling
300 Ala Moana Blvd., 7-104
Honolulu, HI 96850-5269

Re: James Troiano
US v. Troiano, Cr. No. 05-0261 HG

Dear Mr. Troiano:

This letter is to confirm the terms under which you will provide a proffer to the United States Attorney's Office for the District of Hawaii ("Office") regarding the criminal behavior of others. The following understandings exist as to meetings that will take place with James Troiano ("Client"), his attorney Pamela J. Byrne, and federal and state agents, including Deputy Marshal Brian Johnson, which may be held at the Federal Detention Center ("FDC"):

(1) Client will respond truthfully and completely to any and all questions or inquiries that may be put to him at the meetings;

(2) The prosecution will not offer in evidence in its case-in-chief for the above-referenced case, or in connection with any sentencing proceeding for the purpose of determining an appropriate sentence, any statements made by Client at these meetings, except in a prosecution for false statements, obstruction of justice, or perjury;

(3) Notwithstanding paragraph (2) above, the prosecution may use (a) information derived directly or indirectly from any of the meetings for the purpose of obtaining and pursuing leads to other evidence, which evidence may be used in any prosecution of Client by the prosecution, and (b) statements made by Client and all evidence obtained directly or indirectly from those statements for the purpose of cross-examination should Client testify, or to rebut any evidence offered by or on behalf of Client in connection with the trial

EXHIBIT "A"

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and/or at sentencing, should any prosecution of Client be undertaken;

(4) This Agreement is limited to the statements made by Client at the meetings and does not apply to any statements made by Client at any other time, whether oral, written or recorded;

(5) No understandings, promises, agreements and/or conditions have been entered into with respect to any of the meetings other than those expressly set forth in this Agreement and none will be entered into unless in writing and signed by all parties.

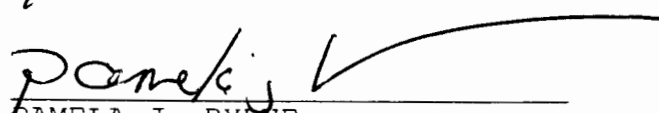
Dated: June 27, 2005, at Honolulu, Hawaii.

EDWARD H. KUBO
United States Attorney
District of Hawaii



WES R. PORTER
CLARE E. CONNORS
Assistant U.S. Attorney

By 7/11/05


JAMES TROIANO
PAMELA J. BYRNE
Attorney for Client